

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 774

97TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, March 27, 2014, with recommendation that the Senate Committee Substitute do pass.

5385S.05C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 99.825, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 99.825, to read as follows:

99.825. 1. Prior to the adoption of an ordinance proposing the designation
2 of a redevelopment area, or approving a redevelopment plan or redevelopment
3 project, the commission shall fix a time and place for a public hearing as required
4 in subsection 4 of section 99.820 and notify each taxing district located wholly or
5 partially within the boundaries of the proposed redevelopment area, plan or
6 project. At the public hearing any interested person or affected taxing district
7 may file with the commission written objections to, or comments on, and may be
8 heard orally in respect to, any issues embodied in the notice. The commission
9 shall hear and consider all protests, objections, comments and other evidence
10 presented at the hearing. The hearing may be continued to another date without
11 further notice other than a motion to be entered upon the minutes fixing the time
12 and place of the subsequent hearing; provided, if the commission is created under
13 subsection 3 of section 99.820, the hearing shall not be continued for more than
14 thirty days beyond the date on which it is originally opened unless such longer
15 period is requested by the chief elected official of the municipality creating the
16 commission and approved by a majority of the commission. Prior to the
17 conclusion of the hearing, changes may be made in the redevelopment plan,
18 redevelopment project, or redevelopment area, provided that each affected taxing

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 district is given written notice of such changes at least seven days prior to the
20 conclusion of the hearing. After the public hearing but prior to the adoption of
21 an ordinance approving a redevelopment plan or redevelopment project, or
22 designating a redevelopment area, changes may be made to the redevelopment
23 plan, redevelopment projects or redevelopment areas without a further hearing,
24 if such changes do not enlarge the exterior boundaries of the redevelopment area
25 or areas, and do not substantially affect the general land uses established in the
26 redevelopment plan or substantially change the nature of the redevelopment
27 projects, provided that notice of such changes shall be given by mail to each
28 affected taxing district and by publication in a newspaper of general circulation
29 in the area of the proposed redevelopment not less than ten days prior to the
30 adoption of the changes by ordinance. After the adoption of an ordinance
31 approving a redevelopment plan or redevelopment project, or designating a
32 redevelopment area, no ordinance shall be adopted altering the exterior
33 boundaries, affecting the general land uses established pursuant to the
34 redevelopment plan or changing the nature of the redevelopment project without
35 complying with the procedures provided in this section pertaining to the initial
36 approval of a redevelopment plan or redevelopment project and designation of a
37 redevelopment area. Hearings with regard to a redevelopment project,
38 redevelopment area, or redevelopment plan may be held simultaneously.

39 2. [Effective January 1, 2008,] **(1)** If, after concluding the hearing
40 required under this section, the commission **formed under subsection 2 of**
41 **section 99.820** makes a recommendation [under section 99.820] in opposition to
42 a proposed redevelopment plan, redevelopment project, or designation of a
43 redevelopment area, or any amendments thereto, a municipality desiring to
44 approve such project, plan, designation, or amendments shall do so only upon a
45 two-thirds majority vote of the governing body of such municipality.

46 **(2) If, after concluding the hearing required under this section,**
47 **the commission formed under subsection 3 of section 99.820 makes a**
48 **recommendation in opposition to a proposed redevelopment plan,**
49 **redevelopment project, or designation of a redevelopment area, or any**
50 **amendments thereto, a municipality desiring to approve such project,**
51 **plan, designation, or amendments shall do so only upon a three-**
52 **quarters majority vote of the governing body of such municipality.**

53 3. Tax incremental financing projects within an economic development
54 area shall apply to and fund only the following infrastructure projects: highways,

55 roads, streets, bridges, sewers, traffic control systems and devices, water
56 distribution and supply systems, curbing, sidewalks and any other similar public
57 improvements, but in no case shall it include buildings.

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